

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MECCATECH, INC.	)	Case No. 8:05CV570
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
CLAUDIA KISER, SARAH	)	
SHEPHERD, PAT BARIL, STRATEGIC	)	
GOVERNMENTAL SOLUTIONS, and	)	
NEBRASKA ASSOCIATION OF	)	
SCHOOL BOARDS,	)	
	)	
Defendants.	)	

The Nebraska Association of School Boards (“NASB”) has objected to portions of both the Affidavit of and the Declaration of Gary Tyler (Filing Nos. 5 and 39). The objection may be found at filing no. 43. I have considered the matter, and I conclude that the objections should be sustained. Paragraphs 19 and 20 of the Affidavit at Filing No. 5 will not be considered for the reasons stated in the objection. In addition, I shall grant the objection as to the last sentence of paragraph 3, all of paragraph 4, and Exhibit A of the Tyler Declaration at filing no. 39, as insufficient to demonstrate that Mr. Thomas Wood, who has been identified as MeccaTech, Inc.’s receiver, authorized this litigation. I will grant the Plaintiff leave to file, preferably by the week’s end, a properly executed and notarized affidavit or declaration made upon Wood’s personal knowledge that demonstrates that Wood has granted the Plaintiff express permission to commence this litigation. Accordingly,

IT IS ORDERED:

1. Defendant NASB’S Objection (Filing No. 43) is granted as described herein; and
2. Plaintiff MeccaTech, Inc., has leave of the Court to file an affidavit or declaration of Mr. Thomas Wood on or before Monday, March 6, 2006.

DATED this 28<sup>th</sup> day of February, 2006.

BY THE COURT:

s/ Laurie Smith Camp  
United States District Judge